

# EXHIBIT “2”

To: The Honorable Frank LaRose  
Ohio Secretary of State  
180 S Civic Center Dr.  
Columbus, OH 43215

From: Coalition of Concerned Voters of Ohio  
PO Box 99,  
Dublin OH 43017

Subject: Evidence Shows Dominion Machines Currently in Use in Ohio Should be Decertified  
and the Governor Should Activate the Ohio Cyber Reserve to Verify

February 23, 2024

Dear Secretary LaRose,

This is a follow-up to the letter that we sent you on December 29, 2023, summarizing the findings of extensive forensic examinations by two independent teams of cybersecurity experts that examined the Dominion D-Suite Voting System (DVS) machines used in Georgia and Colorado.

The DVS consists of an Election Management System (EMS) server and associated ImageCast X (ICX) voting machines. In Ohio they are called Direct-Recording Electronic (DRE) voting machines and in Georgia they are referred to as Ballot marking Devices (BMDs). The only difference between them is that Ohio prints the voter's selections onto a Voter Verified Paper Audit Trail (VVPAT) that includes a QR code while Georgia prints out the voter's selections onto a ballot (that also includes a QR code) that is then scanned into an optical scanner.

The findings of the two forensic examinations (one for the EMS and the other for the BMDs), were detailed in four reports totaling over 400 pages and showed that the Dominion machines are so riddled with security flaws that, according to the experts, they should not be used in any election and should not have been certified for use in the first place. During the trial in Georgia that will soon determine the fate of the Dominion machines in Georgia, the cybersecurity expert for the plaintiffs said the ICX machine were not designed with security in mind in the first place, so it was compromised to the point that no software patch could fix it.

But this was not the first time that the Dominion line of machines was found to have serious security issues. The Dominion ICX machines today are basically re-packaged Diebold DRE machines. In 2009, Dominion acquired DRE machines from ES&S who in turn had just acquired

them from Diebold but were forced to divest their interest in these machines because of an anti-trust lawsuit.

Since their inception, the Diebold DRE machines were plagued with controversy. As part of a "Top-to-Bottom" review of California's voting systems, California's Secretary of State contracted with the University of California-Berkley in 2007 to perform an in-depth review of the Diebold's Voting System source code.

Their analysis showed that the technological controls in the Diebold software did not provide sufficient security to guarantee a trustworthy election. The machine was not built with a focus on security in the first place (sound familiar?), so the software contained serious design flaws that led directly to specific vulnerabilities that attackers could exploit to affect election outcomes. The conclusion was that it couldn't be made secure by simple software fixes and needed to be totally reengineered. These findings prompted the Secretary of State to decertify the Diebold machines for use in California.

Fast forward to 2017 when a group of citizens in Georgia (known as Curling et al) sued the state over concerns that the Diebold DRE machines that had been in use in Georgia since 2002 could not to be trusted. Keep in mind that these were the same machines that California had decertified in 2008.

The lawsuit resulted in a court ruling that the Diebold machines were constitutionally deficient. However, by the time of that ruling in 2019, Georgia had already made the decision to replace the old Diebold machines with the current Dominion DRE machines that produced a printed ballot. Concerned that this new version was simply the old system being re-packaged, the plaintiffs continued with their lawsuit.

In 2020, an expert cybersecurity witness for the plaintiffs performed a forensic examination of the Fulton County Dominion machine and produced what became known as the "Halderman report". Its findings were so damning that it prompted the court to have it sealed for two years for fear that its release to the public may endanger future elections. A redacted version was eventually released to the public in June 2023. Prior to that release, CISA, the agency within the Department of Homeland Security (DHS) responsible for protecting our nation's election system, released a security advisory to all Board of Elections (BOEs) warning them of serious security flaws in the Dominion machines that needed to be mitigated as soon as possible.

In addition to the letter that we sent you in December 2023, we sent a copy of the same letter to the 12 BOEs within Ohio that have the Dominion ICX machines asked them if they were aware of the CISA security advisory and what actions, if any, had been taken to mitigate the identified vulnerabilities.

We received responses back from two BOEs (Adams and Wayne), and they informed us they were aware of the CISA advisory and that the Ohio Board of Voting Machine Examiners (BVME) had tasked Dominion to come up with a fix. They were told that a software patch (Version 5.17) was being released by Dominion to resolve the issues after going through Election Assistance Committee (EAC) certification and it should be installed in Ohio's machines by the summer of 2024. We had previously reached out, on numerous occasions to the Ohio BVME in May 2023 asking about the status of the CISA security advisory but did not receive a reply.

As previously noted, cybersecurity experts have concluded that a simple software patch will not address the security flaws in the Dominion machines since the overall design of the system is flawed with numerous vulnerabilities. In addition, the CISA security advisory did not address the vulnerabilities of the EMS machines that were discovered in Colorado at all. It is also important to note that both the Colorado and Georgia machines including the Dominion DRE machines that California decertified had all passed federal testing and certification.

Since neither the BOEs nor Ohio BVME have the technical expertise to analyze and evaluate the Dominion machines nor certainly the vendor cannot be relied on to perform an impartial analysis, an independent analysis by a team of cybersecurity experts is called for. Under Ohio Revised Code (ORC) Section 5922.08 Power of Governor, the governor can activate the Ohio Cyber Reserve (OhCR) under the auspices of "protecting state, county, and local government entities and critical infrastructure including election systems," to conduct an in-depth review of the Dominion machines.

We respectfully ask you to call for the governor to activate the OhCR to first review all pertinent forensic reports and documentation to date and then be given unfettered access to the Dominion machines in Ohio for a thorough forensic review and evaluation. If the machines are verified to be defective as we suspect, it would be prudent to adopt a back-up plan of hand-counting the ballots in the way they were previously done in Ohio before the era of voting machines (refer to the 1936 Ohio General Code Chapter XIV, Section 4785-143 "Counting of Votes"). Currently, upwards of 200 counties throughout the U.S. have adopted hand counting paper ballots or have started the process to do so.

Sincerely,

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